

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
                                )  
v.                             )      Case No. 4:21-cr-00232-RK  
                                )  
                                )  
(1) MICHAEL SMITH,         )  
                                )  
                                )  
Defendant.                 )

**ORDER**

Before the Court is the Report and Recommendation prepared by Magistrate Judge Jill A. Morris on April 10, 2023. (Doc. 51.) Neither party filed objections within the 14-day period provided by Rule 59(a) of the Federal Rules of Criminal Procedure. As a result, the parties have waived their right to review. *Id.* After reviewing the record, it is **ORDERED** that Judge Morris' Report and Recommendation is adopted in its entirety, and the Court finds that Defendant is mentally competent to proceed.

**IT IS SO ORDERED.**

s/ Roseann A. Ketchmark  
ROSEANN A. KETCHMARK, JUDGE  
UNITED STATES DISTRICT COURT

DATED: May 1, 2023